

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

IN RE	§	
	§	CASE NO. 19-50900-CAG
LEGENDARY FIELD EXHIBITIONS, LLC,	§	
	§	CHAPTER 7
DEBTOR	§	

LEGENDARY FIELD EXHIBITIONS, LLC,	§	
	§	
<i>Plaintiff,</i>	§	
	§	
	§	Adv. No. _____
TECOVAS, INC. and	§	
MAJORMEDIA, INC.	§	
	§	
<i>Defendants,</i>	§	

PLAINTIFF'S ORIGINAL COMPLAINT

COMES NOW Randolph N. Osherow, Chapter 7 Trustee for the bankruptcy estate of Legendary Filed Exhibitions, LLC and files this Original Complaint against Tecovas, Inc. and MajorMedia, Inc. for breach of contract.

I.

JURISDICTION AND VENUE AND CONSTITUTIONAL AUTHORITY

1. The Court has jurisdiction over this adversary proceeding pursuant to 28 U.S.C. § 1334. This action is a core-proceeding pursuant to 28 U.S.C. § 157 (b)(2) (A) and (O).
2. Venue is proper in this District pursuant to 28 U.S.C. § 1409(c).
3. The Trustee consents to the entry of a final judgment by this Court in this matter.

II.

PARTIES

4. Plaintiff, Randolph N. Osherow ("Trustee") is the duly-appointed Chapter 7 trustee for the bankruptcy estate of the Debtor. Trustee may be served with pleadings and process in this Adversary Proceeding through his undersigned counsel.

5. Defendant, Tecovas, Inc. (“Tecovas”), is a Delaware corporation doing business in Texas as Tecovas Boots, Inc. and may be served via its registered agent, The Mangold Group, CPA, PC.

6. Majormedia is a corporation which may be served by First Class Mail at 515 Center, Scranton, PA 18503.

III.

FACTUALBANKGROUND

7. Legendary Field Exhibitions, LLC (“Legendary” or “Debtor”) is a Delaware limited liability company and filed its petition for voluntary relief under Chapter 7 on April 17, 2019. The case was assigned case number 19-50900, the lead case in six consolidated bankruptcies.

8. Legendary did business as and operated as the Alliance of American Football (“AAF”). The AAF was engaged in presenting professional football competitions in several American media markets beginning in February and ending in April, 2019. The games were televised on broadcast networks and the through media streaming.

9. Tecovas in writing authorized Majormedia, Inc. as its agents on Tecovas’ behalf to solicit rates and contract to place media advertisements, including on television and internet. A true and correct copy of the written Authorization is attached hereto as Exhibit “A” and is incorporated by reference for any and all purposes.

10. Defendant, Tecovas, through its authorized agent, Majormedia, Inc., solicited a contract to advertise the business and goods of Tecovas during AAF game broadcasts during the the 2019 season.

11. Debtor made a proposal to Tecovas for \$41,600.00 for Live In-Game Commercial Media and \$12,500.00 for Custom Feature/Integration Added Value. The total advertisement package actually provided for the benefit for Tecovas was \$54,100.00. At Defendants’ request, the Debtor provided advertisements, for the benefit of Defendants Tecovas, through various networks for the period March 16, 2019 through March 31, 2019. The Debtor kept a systematic record of the advertising spots run and the amounts owed attributable to those spots. The Debtor invoiced those amounts to Tecovas through its

authorized agent, Major Media. A true and correct copy of the invoice for those services and the dates therefor is attached hereto as Exhibit "B" and is incorporated by reference for any and all purposes.

12. Despite demand, Debtor has not been paid for the advertising services provided to Tecovas. On information and belief, Tecovas transmitted funds to its authorized agent sufficient to pay and for the payment of amounts owed to Debtor and Majormedia assumed responsibility for payment. Defendant Majormedia, assured Debtor that Debtor's invoices would be paid, but failed to pay the invoices when due. The invoices have not been paid as of the date of the filing of this Complaint.

13. Plaintiff's action is founded upon a claim for services, and is a claim for liquidated money demanded.

IV.

CONDITIONS PRECEDENT

14. All conditions precedent to Plaintiff's claims against the Defendants have occurred, been performed, satisfied, or otherwise fulfilled.

V.

ATTORNEY'S FEES

15. Under Texas law Plaintiff is entitled to recover its reasonable and necessary attorney's fees in its prosecution of this case. Plaintiff retained counsel, who has presented Plaintiff's demand to Defendants. Defendants have not tendered the amount owed within 30 days of when the claim was presented. Plaintiff submits to the Court that the following amounts of attorney's fees represent reasonable payment for performance of its attorney's services.

WHEREFORE, Plaintiff prays that the Court enter judgment in its favor and against Defendants and award Plaintiff judgment in the amount of \$54,100.00 plus reasonable attorney's fees and for any and all other relief to which he may show himself justly entitled.

Respectfully submitted,

BARRETT DAFFIN FRAPPIER

TURNER & ENGEL, LLP

By: /s/ Steve Turner

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ATTORNEYS FOR RANDOLPH N. OSHEROW,
CHAPTER 7 TRUSTEE

CERTIFICATE OF MAILING

By my signature below, I hereby certify that on the 22nd day of January, 2020, a true and correct copy of the foregoing Complaint was served upon all parties listed on the attached mailing matrix via regular First Class Mail.

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C/O its registered agent, The Mangold Group, CPA, PC.
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Scranton, PA 18503.

/s/ Steve Turner

Steve Turner

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Aflanny Inc.
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Joe Cotterman
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Broadway Media, LLC dba KXRK, KEGA, KYMV.
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Salt Lake City, UT 84101-2024

Buck's Bags Inc.
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Harrisburg, PA 17121

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Cortez Liquid Waste Services
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